

12/28/01  
JG973 U.S. PTO

01 - 09 - 02 A

UTILITY PATENT APPLICATION TRANSMITTAL  
(CONTINUATION CLAIMING BENEFIT OF PROVISIONAL APPLICATION)  
(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.  
50277-1768

JG90 U.S. PRO  
10/04/99

12/28/01

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, David J. LONG, et al., entitled POLICIES ON A PER INSTANCE BASIS for a(n):

( ) Original Patent Application.  
(X) Continuing Application (prior application not abandoned):  
(X) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)  
of prior application No: 09/853,823 Filed on: May 11, 2001, which claims the  
benefit of prior provisional application No: 60/204,196 Filed on: May 12, 2000.  
(X) A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

(X) Specification: 50 Total Pages; (X) Drawing(s): 19 Total Sheets.  
(X) Oath or Declaration:  
( ) A Newly Executed Combined Declaration and Power of Attorney:  
( ) Signed. (X) Unsigned. ( ) Partially Signed.  
( ) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).  
( ) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the  
oath or declaration is supplied, is considered as being part of the disclosure of the accompanying  
application and is hereby incorporated herein by reference in its entirety for all purposes.  
( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).  
( ) Revocation and Appointment of New Power of Attorney, which is copied from the prior application for  
continuation/divisional is supplied.  
(X) Return Receipt Postcard.  
( ) Associate Power of Attorney. (X) A Check in the amount of \$ 1,964.00 for the Filing Fee.  
( ) Preliminary Amendment. ( ) Information Disclosure Statement and Form PTO-1449.  
(X) Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)  
(X) A Duplicate Copy of this Form for Processing Fee.  
( ) A Certified Copy of Priority Documents (if foreign priority is claimed).  
( ) Applicant(s) is entitled to small entity status. See 37 CFR 1.27.  
( ) Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.  
(X) Other: Fee Transmittal (in duplicate)

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	74	54	\$18.00	\$ 972.00
Independent Claims	6	3	\$84.00	\$ 252.00
Multiple Dependent Claims (if applicable)				\$ 0.00
Assignment Recording Fee				\$ 0.00
Basic Filing Fee				\$740.00
			Total Filing Fee	\$ 1,964.00

Charge \$ 1,964.00 to Deposit Account 50-1302 pursuant to 37 CFR § 1.25. At any time during the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to above deposit account 50-1302. A duplicate of this sheet is enclosed.

Respectfully submitted,

By: Cheryl A. Eichstaedt  
Cheryl A. Eichstaedt, Reg. No. P50,761

Date: December 28, 2001

Correspondence Address:



29989

PATENT & TRADEMARK OFFICE

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

By: Tirena Say

Typed Name: Tirena Say  
Express Mail Label No.: EL734971202US  
Date of Deposit: December 28, 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL

## for FY 2002

Patent fees are subject to annual revision,  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
See 37 C.F.R. §§ 1.27 AND 1.28

TOTAL AMOUNT OF PAYMENT	(\$1,964.00)	Attorney Docket No.	50277-1768
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## METHOD OF PAYMENT (check one)

1.  Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Deposit Account Number

50-1302

Deposit Account Name

Hickman Palermo Truong &amp; Becker, LLP

2.  Payment Enclosed:

Check  Money Order  Other

3.  Applicant(s) is entitled to small entity status.

See 37 CFR 1.27

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740.00		
106	330	206	165	Design filing fee			
107	510	207	255	Plant filing fee			
108	740	208	370	Reissue filing fee			
114	160	214	80	Provisional filing fee			

SUBTOTAL (1) (\$740.00)

## 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Extra Claims	Fee from Below	Fee Paid
74	-20**=	12	X 18.00	= 972.00
6	- 3**=	3	X 84.00	= 252.00

Multiple Dependent

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$1,224.00)

Complete if Known									
Application Number		NYA							
Filing Date		December 28, 2001							
First Named Inventor		David J. LONG, et al.							
Examiner Name		NYA							
Group/Art Unit		NYA							
TOTAL AMOUNT OF PAYMENT		(\$1,964.00)							
FEE CALCULATION (continued)									
3. ADDITIONAL FEES	Large Entity Fee Code	Fee \$	Small Entity Fee Code	Fee \$	Fee Description	Fee Paid			
	105	130	205	65	Surcharge – late filing fee or oath				
	127	50	227	25	Surcharge – late provisional filing fee or cover sheet.				
	139	130	139	130	Non-English specification				
	112	920*	112	920*	Requesting publication of SIR prior to Examiner action				
	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action				
	115	110	215	55	Extension for reply within first month				
	116	400	216	200	Extension for reply within second month				
	117	920	217	460	Extension for reply within third month				
	118	1,440	218	720	Extension for reply within fourth month				
	128	1,960	228	980	Extension for reply within fifth month				
	119	320	219	160	Notice of Appeal				
	120	320	220	160	Filing a brief in support of an appeal				
	121	280	221	140	Request for oral hearing				
	138	1,510	138	1,510	Petition to institute a public use proceeding				
	140	110	240	55	Petition to revive – unavoidable				
	141	1,280	241	640	Petition to revive – unintentional				
	142	1,280	242	640	Utility issue fee (or reissue)				
	143	460	243	230	Design issue fee				
	144	620	244	310	Plant issue fee				
	122	130	122	130	Petitions to the Commissioner				
	123	50	123	50	Petitions related to provisional applications				
	126	240	126	240	Submission of information Disclosure Stmt				
	581	40	581	40	Recording each patent assignment per property (times number of properties)				
	146	690	246	345	Filing a submission after final rejection (37 CFR § 1.129(a))				
	149	690	249	345	For each additional invention to be examined (37 CFR § 1.129(b))				
Other fee (specify)									
Other fee (specify)									
SUBTOTAL (2) (\$1,224.00)		SUBTOTAL (3) (\$ 0.00)							

SUBMITTED BY					Complete (if applicable)		
Name (Print/Type)	Cheryl A. Eichstaedt		Registration No. (Attorney/Agent)	P50,761		Telephone	(408) 414-1080
Signature	<i>Cheryl A. Eichstaedt</i>		Date	December 28, 2001			

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231  
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Box Patent Applications, Commissioner for Patents, Washington, DC 20231.

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor      David J. LONG, et al.

Title      POLICIES ON A PER INSTANCE BASIS

Atty. Docket Number      50277-1768

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 10, 2001

Date

Cheryl A. Eichstaedt

Signature

Cheryl A. Eichstaedt (Reg. No. P50,761)

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Box Patent Applications, Commissioner for Patents, Washington, DC 20231